EDITORIAL

For many restaurant workers, fair conditions not on menu

It's easy to recognize a former restaurant dishwasher. Long, deep scars often line their forearms — the result of nights when, as the lowest on the chain of kitchen workers, they must plunge their hands into boiling hot water to unclog industrial-size dish-washing machines. Another requirement is hauling heavy dish tubs across slippery kitchens. For this backbreaking work, the hourly pay frequently doesn't exceed the state minimum wage of $8. Undocumented workers often make significantly less. If a dishwasher shows promise, he'll get a second job in the kitchen, usually prepping salads, for no extra pay. "Paying your dues quietly is how to move up in a kitchen," says Jonny Arevalo, who worked at several Boston restaurants, including Bennigan's, for nine years. "Then some other poor guy takes your place."

The restaurant industry in the United States is exploding, just as the income gap is widening. The trends are related: While expansion of other industries often leads to higher wages and greater opportunities, growth in the restaurant business does not. Shielded by a powerful lobby and a franchise system that makes union organizing difficult and impractical, it provides the scraps at the bottom of the income ladder. The food service industry is the province of kitchen workers who must enlist government investigators to collect the bare minimum that the law entitles them to receive; wait staff who earn a punishingly low $2.13 per hour nationally in exchange for tips whose distribution is often controlled by management; and fast-food employees who work for chains that explicitly advise them to apply for food stamps and other government aid to supplement their unlivable pay.

These low wages do not represent an efficient, market-driven distribution of labor. Because waiters making poverty wages turn to public aid, American taxpayers effectively subsidize the restaurant industry to the tune of $7 billion per year. All this for an industry that isn't beset by global competition — as industrial manufacturers are — and doesn't represent a vital national interest, like energy or utilities. In fact, the economic arguments against policies that would raise the wages of restaurant workers are distinctly unimpressive. Claims that higher wages would result in fewer jobs aren't borne out by the experience of California, which bolted ahead of Massachusetts and other states years ago by prohibiting the practice of giving sub-minimum paychecks to workers in jobs with heavy tipping: The number of restaurant jobs in the Golden State is expected to rise by 141,000, or 9.1 percent, by 2024 despite workers having higher guaranteed pay, outpacing Massachusetts' projected jobs growth of 5.7 percent over the same period.

Fairness alone suggests making a concerted effort to remove the loopholes that allow many restaurants to keep their workers in dire circumstances. Concern for the children of such workers ought to be enough of an incentive to mount an effort to raise salaries. But there is a larger reason to elevate the status of restaurant employees: It would be the single most effective way to combat income inequality in a country where the gap between rich and poor is soaring to levels not seen since before the stock market crash of 1929.

Restaurant workers represent a whopping 10 percent of the workforce, and a vastly disproportionate share of low-wage workers. By changing a few policies and adjusting some industry practices, the nation could sharply reduce the numbers of families in poverty and enhance the middle class while actually saving taxpayer dollars. It's time to start moving in this sensible direction, both in Massachusetts and the nation as a whole.

Restaurants, in a way, are the quintessential industry of a challenging 21st-century economy. Time-pressed Americans eat out for at least five meals a week, and the average household spent $2,620 on food away from home in 2011, according to the National Restaurant Association. A thriving restaurant scene like Boston's, with its fine dining and food trucks, is an integral part of a modern city. Massachusetts' restaurants alone are projected to ring up $13.5 billion in sales for 2014. Yet as fine diners increasingly seek out organic, farm-to-table cuisine, few think much of the workforce making those meals.

What goes on behind the kitchen doors is grim. The 13 million-plus restaurant workers in the United States face a poverty rate that is nearly three times that of the rest of the country's workforce, and the industry hosts seven of the 10 worst paying American jobs, according to federal labor statistics. Dishwashers in Massachusetts, for instance, made $10.29 per hour on average in 2012. (That figure is telling in itself, as it includes dishwashers at hotels, universities, and health care facilities, who are usually union workers and nationally earn on average nearly $3 more per hour than restaurant dishwashers.) Research done by MIT puts a livable wage for Boston — the minimum income someone needs to live adequately given local costs of living — at $12.65 for a single adult and $22.40 for a family of four.

Moreover, these jobs come with few of the benefits that workers in other industries take for granted. Health coverage is rarely offered; paid sick leave, vacation time, and 401(k)s are virtually unheard of. Schedules often change on a weekly or even daily basis, making child care a nightmare to arrange. And forget about job security. Restaurant analyst Victor Fernandez says annual turnover is above 95 percent for hourly workers.

Very little will improve until consumers begin to pressure the industry. While diners feel empowered to ask whether produce was purchased locally or if chickens were given free range to lay their eggs, they don't feel comfortable questioning the treatment of employees, despite mounting evidence of violations of labor laws and poor conditions for workers. Diners, either through their political representatives or their own complaints to managers, should argue that workers be given:

• Hourly wages at or above a living wage for individuals.

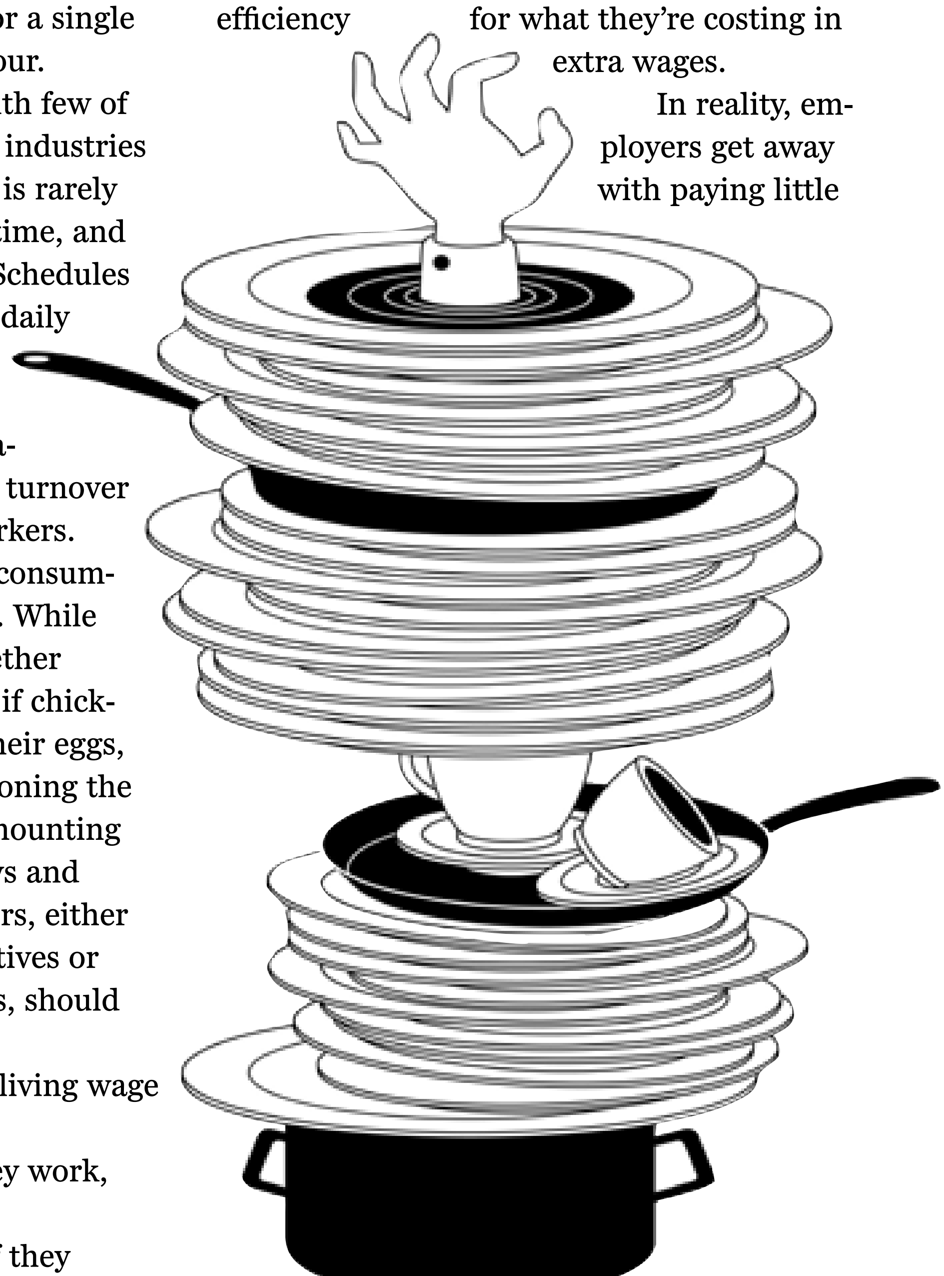
• Payment for all the time they work, including overtime.

• Opportunities to organize if they choose to do so.

Meanwhile, lawmakers should summon the courage to reject the demands of the National Restaurant Association, which is largely responsible for Massachusetts' "tipped minimum wage" — under which restaurants are allowed to pay workers just $2.63 with the hard-to-enforce understanding that tips will make up the rest of the way to at least $8 per hour. California, for its part, has guaranteed that all restaurant workers will earn at least $10 per hour by 2016, through a straightforward paycheck, with tips extra.

Most restaurant owners blame low wages and poor working conditions on slim profit margins amid intense competition. But raising wages across the board wouldn't change the competition; every outlet would have to play under the same rules and demands. And while consumers should expect somewhat higher prices to cover higher labor costs, some restaurants insist that better-paid workers are more reliable and stay in their jobs long enough to make up in efficiency for what they're costing in extra wages.

In reality, employers get away with paying little



THOMAS FUCHS FOR THE BOSTON GLOBE

and treating workers badly simply because they can. There aren't many other opportunities in Massachusetts for workers with few or no skills, especially if they are undocumented. In 2012, there were 1.8 job seekers for every opening in the restaurant sector statewide, a relatively low figure compared to other industries. Yet the data suggest more than two-thirds of those openings were for part-time work, while the vast majority of the unemployed want full-time positions.

In Boston, immigrants from Latin America — most often from Colombia, El Salvador, or Brazil — fill restaurant kitchens. Many, because they have limited English or are in the country illegally, are simply glad for paying work. Supporting family here and back home, they often string together two or three jobs to make ends meet. "They start at 7 a.m. in one kitchen doing prep, then leave for a second shift, working until midnight or 1 a.m.," says Arevalo, who was a pilot in his native Colombia and now runs the worker center at the Massachusetts Coalition For Occupational Safety and Health (MassCOSH).

Filiberto Lopez moved to Boston from El Salvador seven years ago in hopes of finding the American Dream, and ended up sleeping in the kitchen of a East Boston Peruvian restaurant. He worked more than 80 hours a week there, schlepping 200-pound sacks of flour from the kitchen's basement storage area, cleaning the restaurant after hours, even maintaining its air filters and electrical system. His boss, himself an immigrant, was verbally abusive, regularly referring to Lopez as "Boy." For this, Lopez was paid $5 an hour and never overtime. "I didn't speak English and didn't have legal documents," Lopez says. "I assumed I had no rights at all." Lopez has moved on to work at other Boston restaurants, and has helped MassCOSH identify other abusive workplaces.

Wage theft is common across the industry, and not just at struggling ethnic outlets in distant neighborhoods. It starts with failure to pay overtime. State law exempts eateries from paying time-and-a-half for more than 40 hours of work in one week. However, federal laws do not — and if a restaurant makes more than $500,000 in gross annual sales, it is compelled to follow the federal law. Local establishments have also been found to be breaking child labor laws, failing to pay minimum wage, or failing to pay workers at all.

Massachusetts' restaurants are under more scrutiny than most. The Boston office of the US Department of Labor conducted 165 investigations in the restaurant industry in fiscal year 2013, collecting more than $1.7 million in back wages from employers who violated wage-and-hour laws. Among those cited for various violations since 2009 by the Labor Department, state Attorney General's Office, and other enforcement agencies are some of the Boston area's most popular dining establishments: Not Your Average Joes; the Metropolitan Club; Sunset Grill & Tap; Brookline's Pomodoro; Cambridge's Miracle of Science, Middlesex Lounge, and Tory Row; and Ruby Tuesday.

In 2012, acclaimed restauranteurs Patrick Lyons and Ed Sparks agreed to pay $424,000 in back pay and damages to improperly underpaid workers at 15 of the restaurants they own, including Towne, Scampo, Sonsie, and the Bleacher Bar. In what is a common practice, Lyons and Sparks had contracted out their labor to an agency that not only failed to pay employees but also disappeared. At the end of the day, though, the law rightly holds the restaurants responsible for ensuring their workers are fully paid. "Know who you're doing business with," Lyons warns. "Or you'll end up paying at least twice what you owed in the first place."

But resources for enforcement are limited. Boston Mayor Marty Walsh could help. During his campaign, Walsh pledged his support for a livable wage. A first step for his administration toward achieving that would be to streamline the permitting process. By allowing restaurants to open and operate with less red tape, overhead could be reduced, and capital freed up for owners to pay their workers a higher wage.

Or, better yet, Walsh could follow the lead of Somerville Mayor Joe Curtatone. Last summer Curtatone championed and passed a citywide ordinance put forward by local activists that now prevents employers who are guilty of wage theft from getting or renewing permits. This law should be replicated across Massachusetts. "If you break the law and don't pay your workers what they're owed, you won't do business in Somerville," Curtatone says.

That's a message any business owner will understand.

Editorial

For $1 per Big Mac, a truly livable salary for millions

When challenged on their low wages and lack of benefits, fast-food chains tend to depict their workers as teenagers saving for college, for whom the hourly receipts are a step toward a better future rather than a way to make ends meet now. Apparently, all those smiling kids wear their brightly colored smocks and golf visors with the same pride as Marines donning their colors, and are just as happy to serve. But those workers, if they exist, are a distinct minority.

They should meet Hope Shaw, the 38-year-old single mother of three who is assistant manager at Dunkin' Donuts on Boston Street. She, too, likes to serve. But her life is one of unrequited toil. She lives paycheck to paycheck. Her heating gas was shut off last winter for failure to pay; the electric bill for her Dorchester apartment is consistently three months overdue. She's gone without health insurance for more than a year. "My rent is $1,100 a month," she says. "Every month I feel like I'm choosing between paying that or putting food on the table."

Yet, six days a week, Shaw leaves her home before 4 a.m. to work a nine-hour shift overseeing the sale of donuts, bagels, and flat-bread sandwiches, while coping with customers who expect their coffee to be prepared exactly as they please and only sometimes drop a penny in the tip can. She's been promoted twice in the five years she's worked at the store, and her hourly pay has gone from $8 to $10. She made slightly less than $24,000 last year.

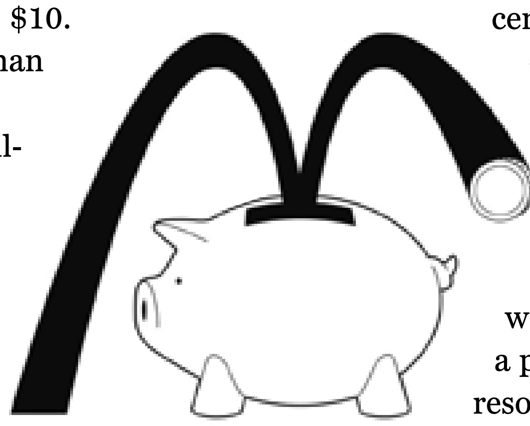
Despite working full-time, she and her family remain submerged beneath the poverty rate for Boston residents. Shaw's predicament is common among her fast-food colleagues. Nationally, the median wage for front-line fast-food workers is $8.94 per hour, according to an analysis by the advocacy group National Employment Law Project.

Among those workers, about 70 percent are over age 20. And of that 70 percent, a third have a college degree. Most employees are depending on those jobs to support themselves and their families. "We can't make it out here," Shaw says.

Fast-food workers in Boston and across the country have been striking since last summer for higher pay. They're demanding that national fast-food chains enter into collective bargaining for a minimum wage of $15 per hour, more than twice the federal minimum wage, and paid sick leave. They make a compelling case.

Right now, it's public assistance that is making up the difference. Half of fast-food workers' families rely on government aid at a cost of $7 billion per year to American taxpayers, according to recent research done at the University of California at Berkeley and the University of Illinois at Urbana-Champaign. This aid amounts to a massive public subsidy to multibillion-dollar private corporations.

McDonald's alone costs taxpayers an estimated $1.2 billion each year. One employee last fall recorded a staff member on the company's "McResource" line urging the full-time worker to sign up for food stamps, Medicaid, and welfare. The hotline, which was recently shut down, routinely helped employees and their families enroll in state and local assistance programs.



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Social safety nets exist for a reason. But enabling profitable companies to keep workers on at poverty wages is a poor use of scarce government resources. Little in the McDonald's financial statements indicates it can't afford to pay employees more. In 2012, net income topped $5 billion, and the company paid out another $5.5 billion in dividends and stock buybacks. CEO Donald Thompson earned a salary of nearly $14 million — or about $7,000 per hour. In fact, industry-wide research by the Economic Policy Institute finds that restaurant CEO pay was 788 times higher than average employee earnings last year — a stark example of the way executives can reward themselves for keeping the wages of others low.

The simplest solution is to raise the minimum wage. The Massachusetts Senate has voted to increase the minimum wage from $8 an hour to $11 by 2016, and the House is currently negotiating its own bill. Because the value of the minimum wage hasn't kept pace with inflation, a full-time minimum wage worker now makes the equivalent of $5,400 a year less than in 1968, according to the Massachusetts Budget and Policy Center. Not surprisingly, nearly 80 percent of the public supports minimum wage increases.

But the national food chains haven't offered good evidence for why they shouldn't start workers' wages at $15 per hour instead. McDonald's frequently cites the fact that it already offers "competitive pay," suggesting that anything more would put it at a competitive disadvantage. But if the top 10 chains entered collective bargaining and agreed to $15, that argument goes away.

Then there is the counterexample of In-N-Out Burger, a West Coast regional chain that's become a cult favorite. In-N-Out takes pride in paying starting employees $10.50 an hour, and within a few months most are making at least $2 more. The company offers benefits including vision, medical, and dental for part- and full-time associates. Assistant managers can make up to $70,000 annually; managers as much as $120,000. And In-N-Out's 280 locations brought in $651 million in sales in 2012, which is more than twice the per-store average at Dunkin' Donuts' 7,360 US locations.

Burger King executives prefer to blame low wages on the franchise model, in which outlets are separately owned and managed, even though Burger King maintains tight control of the product line, restaurant design, amenities, and pricing. It has said it "doesn't make hiring, firing, or employment-related decisions for our franchisees." Indeed, the company that enforces tight specifications for everything from the weight of the Whopper to the amount of oil in the French fries makes absolutely no provision for minimum wages or conditions of employment. Requiring its franchisees to pay a living wage through its franchise contract isn't anywhere on the radar screen.

It's a telling omission. Franchise owners, worried about higher labor costs, could demand lower corporate fees in return. The tradeoff could lower corporate profits. So workers and customers are paying the price instead.

Would the price of fast food soar with a higher minimum wage? It's not likely. Economists at UC Berkeley have estimated a $15 wage would cost consumers about 10 percent more. (Americans spent, on average, about $2,620 on eating out in 2011, according to the National Restaurant Association.) A separate 2006 study suggests menu prices would rise about 17 percent with a $15 minimum wage, according to the Employment Policies Institute.

Breaking down the McDonald's 2012 annual report provides a little more clarity. At company-run stores, profit margins are above 10 percent, but payroll and employee benefits add up to about 25 percent of sales at these locations. That means, if compensation were to double and no other expenses lowered to offset that rise, prices would have to increase by about 25 percent, or $1 more per Big Mac, to make up the difference. Industry associations insist that any higher prices would drive away customers and result in fewer jobs. Some diners might indeed go elsewhere or eat at home. But most fast-food customers are less price-sensitive; those motivated mostly by convenience wouldn't cross state lines or turn to the Internet to save $1 on a fast-food lunch. Meanwhile, restaurants could count on lower training and recruitment costs as turnover — now close to 100 percent per year for fast-food chains — is reduced.

In return, the extra $5 per hour would transform the lives of hard workers like Shaw and their kids. "I could stop worrying about our monthly bills today and start planning for the future," she said.

EDITORIAL

Powerless fast-food workers need organizers, advocates

In nearly a decade of working at the Burger King across from the Boston Common, Kyle King's hourly pay has risen from $8 to $8.15. Unable to afford rent on a place of his own, the 46-year-old lives with his brother in a small Roxbury apartment. Fed up, King decided to join a one-day nationwide strike of fast food workers last August and told the Globe as much. Things at work then went from bad to worse for King.

The day after he appeared in the newspaper, King arrived at Burger King for a scheduled shift only to be told to go home; he wouldn't be needed that day. In the weeks that followed, he saw his 20-hour schedule whittled down to fewer than nine hours per week.

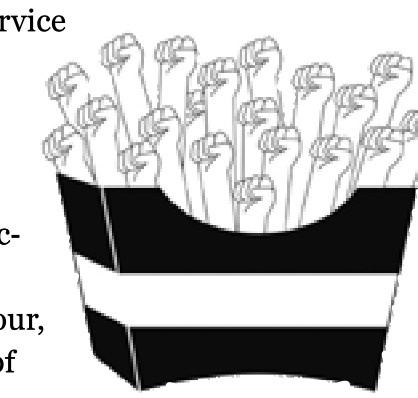
About 4 miles away, Georgina Guiterrez, a prep cook at the Burger King on Washington Street in Dorchester, believes she has faced similar payback. She says the owner of that franchise called workers who chose to strike "traitors." Guiterrez earns $8.25 an hour after four years on the job; she received a 25-cent raise in August when the owner was trying to persuade her not to strike. She did anyway, and since then has seen her hours halved from 38 to barely 20 some weeks. That has been devastating to Guiterrez, who supports her disabled mother and three nieces and nephews with her Burger King pay. (Neither the chain nor the franchisees in question responded to requests for comment.)

According to the US Department of Labor, fewer than 2 percent of food service workers are unionized. It shows. Employees like King and Guiterrez are at a major disadvantage when demanding better pay and working conditions. Average wages in the sector have stagnated at just above the federal minimum wage, $7.25 an hour, for two decades. About 13 percent of fast-food workers have employer-sponsored health benefits, compared with 59 percent of the workforce as a whole. Whether through traditional unions or some other vehicle, one of the quickest ways to improve the lot of most restaurant employees would be for them to band together.

Larger unions often have trouble making inroads into restaurants because of the small-scale nature of the business, with its mom-and-pop eateries and franchised fast-food outlets. Fortunately, less conventional advocates for workers are filling the gap.

One promising example is New York-based Restaurant Opportunities Center United, which recently expanded its efforts to Boston. The advocacy group is probably best known for a $5.25 million settlement it helped win against celebrity chef Mario Batali in 2012 after servers at several of Batali's famed restaurants alleged their employer had violated the Fair Labor Standards Act, in part by pocketing gratuities. Beyond its workplace justice campaigns, however, ROC-United offers its 10,000 nationwide members benefits such as free job training and an affordable health plan. In Boston, this work should complement local immigrant worker centers, which already help collect unpaid wages, connect employees to enforcement agencies, and provide multilingual education on workers' rights.

To see the impact that better organizing can have, one needn't look much farther than Boston's college campuses. Traditional unions have had the most success organizing food service workers at large institutions, such as hotels, hospitals, and universities. Boston's Unite Here Local 26 has negotiated collective bargaining agreements on behalf of food workers at several local schools, including Harvard, Northeastern, Brandeis, and MIT. "What we found in non-union settings were pay rates that ranged from $9 to $11 and health benefits with



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premiums, co-pays, and deductibles so high the employees couldn't afford them," says Brian Lang, Local 26's president.

With Local 26's help, Lang says, pay has risen significantly, employees' share of their health coverage has dropped to as little as $4 a week, and workers are ensured regular schedules, including set days off. As union members, they also have access to legal help, low-interest loans to buy homes, and educational initiatives such as English lessons and GED prep.

Up to now, unions have generally shied away from trying to organize fast-food workers one independently owned franchise at a time. But what if they set their sights higher? Chains like McDonald's, KFC, and Burger King already dictate many details of franchise operations, from staff uniforms to marketing to the prices they can charge for certain menu items. If they wanted, national fast-food chains could also insist that franchisees abide by collectively bargained wage standards. The main thing preventing the chains from negotiating such agreements is the likely rise in worker salaries.

Fortunately, the National Labor Relations Board came to Kyle King's aid. Under the Obama administration, the panel has recognized that, even though the might of labor has declined, workers' rights still need protection. It has emphasized key parts of the National Labor Relations Act that allow for any employees to join together and seek better terms, with or without a union, says Boston labor attorney Louis Mandarini, who filed a complaint with the board on King's behalf.

Because King was exercising his right to contact the media about inadequate working conditions, the NLRB complaint prompted the owners of the Burger King franchise where he works to settle with King. He will have his pay reinstated for the day he was sent home after the Aug. 29 strike, and Burger King has committed to upping King's weekly hours significantly.

But it's crucial to note who connected King to his legal representation: MassUniting, a local labor group financed in part by the Service Employees International Union. As King put it, "I wouldn't have even known I had these rights if someone hadn't been there to tell me."

Editorial

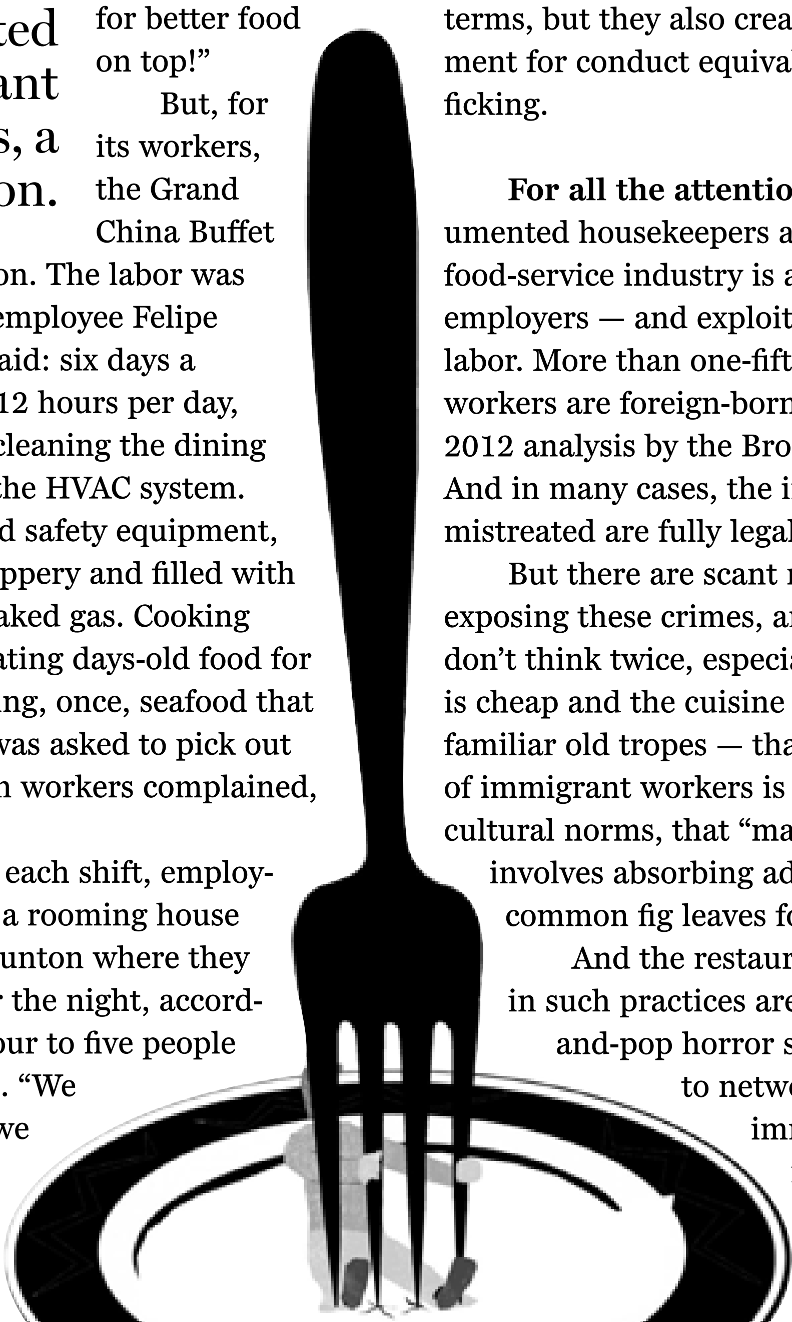
OFF THE MENU

TUCKED INTO a nondescript strip mall off Route 44 in Raynham, the Grand China Buffet was an affordable option for the customers and employees of the Big Lots and Pep Boys stores on either side of it. Especially popular was the $4.99 all-you-can-eat lunch deal. "The prices are great — much cheaper then other buffets," customer Adam M. wrote on Yelp. "And for better food on top!"

But, for its workers, the Grand China Buffet was a virtual prison. The labor was grueling, former employee Felipe Merino Sanchez said: six days a week, more than 12 hours per day, doing food prep, cleaning the dining room, and fixing the HVAC system. The kitchen lacked safety equipment, the floors were slippery and filled with holes, the oven leaked gas. Cooking often meant reheating days-old food for the buffet, including, once, seafood that the kitchen staff was asked to pick out of the trash. When workers complained, they were fired.

For customers, a cheap meal. For exploited restaurant workers, a virtual prison.

At the end of each shift, employees were taken to a rooming house in neighboring Taunton where they were locked in for the night, according to Sanchez. Four to five people shared each room. "We couldn't leave as we wanted," Sanchez, whom the Globe located through worker advocates and government citations, said via a translator. "The door was alarmed." When the police knocked on the door one day, though, he hid. "I thought I'd lose my job or get deported."



PATRICK SANDRI FOR THE BOSTON GLOBE

Few casual diners would expect that a seemingly unremarkable eatery in Raynham could be a venue for what amount to human rights violations. But even at its highest levels, the restaurant industry is run on a more informal basis than most. Servers are paid mainly in tips; the back of the house often abounds with unofficial employees. These practices are problematic on their own terms, but they also create a fertile environment for conduct equivalent to human trafficking.

For all the attention given to undocumented housekeepers and gardeners, the food-service industry is among the leading employers — and exploiters — of immigrant labor. More than one-fifth of all food-service workers are foreign-born, according to a 2012 analysis by the Brookings Institution. And in many cases, the immigrants who are mistreated are fully legal.

But there are scant resources devoted to exposing these crimes, and most customers don't think twice, especially when the food is cheap and the cuisine is ethnic: Some familiar old tropes — that the ill-treatment of immigrant workers is merely adherence to cultural norms, that "making it" in America involves absorbing adversity — become common fig leaves for abuses.

And the restaurants that engage in such practices aren't isolated mom-and-pop horror shows: Many belong to networks that funnel immigrant labor, documented or not, from major entry points like New York City to smaller cities and towns across the country.

Sanchez, for one, crossed the US border

from Mexico in 2003 and headed to New York City. Getting a job was his first priority. He said he followed his brother's footsteps and searched local Chinese newspapers for coded ads aimed at undocumented workers. When he found what he was looking for, Sanchez called a telephone number, was given an address in Chinatown, and on the appointed date, got into a van driven by a stranger. They headed 200 miles north to the Grand China Buffet. He had no clue where he was, Sanchez recalled, but it was a job with food and housing.

At the urging of the Massachusetts Coalition for Occupational Safety and Health, the state Attorney General's Office began investigating the Raynham eatery in August 2010, along with a sister restaurant, the New York Chinese Buffet, located in Somerset.

Investigators found the staff made far below Massachusetts' minimum wage of $8 with no overtime pay — if they were paid at all. Sanchez claimed to be owed some $26,000 in unpaid wages. Another employee, Fidela Martinez, who was 16 at the time, was not paid for more than nine months, even as she worked thousands of hours.

The owners and managers — Xue Ying You, Zhi Hao Zhang, Casidy Lu, Ai Yi Lu, and Ming Kuai Lu — were eventually charged with failure to pay employees minimum wage and failure to pay them in a timely manner, among other charges. The Grand China Buffet was also cited for breaking child labor laws. They were ordered to pay $181,000 in fines, at least some still unpaid. Both restaurants were shuttered.

No criminal or trafficking charges were filed, however. Massachusetts did not pass its antitrafficking law until 2011. And Ai Hui Lu — whom Sanchez and advocates believe is related to the previous management — was granted a liquor license from Raynham selectmen in 2011 for a new restaurant, the Hibachi Sushi Buffet, in the space Grand China once occupied. Sanchez moved on to work at another Chinese buffet. (Repeated attempts to reach all of the owners and managers for comment went unanswered, although some of them have previously denied the charges in media reports.)

Labor advocates and trafficking experts noted the reopening of the restaurant with frustration, explaining more generally that operators are notorious not only for avoiding arrest but for also finding ways to keep operating even after being cited for grotesque abuses. Enforcement is so sporadic, and tolerance is so high, that only the most unlucky violator gets padlocked for good.

There is no way to estimate fully how many workers suffer the same fate as Sanchez and Martinez. But restaurant operators in Minnesota, Wisconsin, California,Texas, and Kentucky have been accused of human trafficking over the past two years. Most often, the offenders were small-scale, ethnic restaurants.

Several laws to protect workers like Sanchez and Martinez are in place. Massachusetts has among the strictest labor regulations in the country, and it has slowly started to prosecute trafficking cases since the law passed three years ago.

More, however, could be done: Enforcement nationally should be more proactive and better funded. The US Department of Labor, for example, is one of the few agencies that routinely trains its inspectors to recognize trafficking victims, but also has only about 1,000 wage and hour investigators to monitor as many as 10.5 million employees at nearly 600,000 restaurants nationwide — in addition to the millions of other workplaces covered by the Fair Labor Standards Act.

Violations are more often unearthed by state or local labor and health code investigators who aren't necessarily trained to know trafficking — and who might not want to jeopardize their own cases by bringing in criminal investigators. Physical evidence isn't properly collected or doesn't exist, and prosecutors are frequently forced to rely on witness testimony — witnesses who are also often afraid of being deported, in debt to their abusive employer, or isolated or vulnerable for other reasons — to make their case. (A challenge compounded by the fact that the US Department of Homeland Security, which oversees immigration, also investigates trafficking crimes involving foreign national victims on the federal level.) Agencies don't communicate well enough among themselves to identify questionable businesses.

In Massachusetts, an interagency task force headed by Attorney General Martha Coakley in 2013 recommended a well-funded, worker-led program aimed specifically at labor trafficking to offer comprehensive legal and social services. That proposal should be taken up. Even consistent, coordinated data collection — to better understand how prevalent this problem is — would help.

A good start would be for the Commonwealth to follow the lead of California, which in April enacted a law requiring restaurants that serve alcohol to post public notices in their kitchens explaining slavery and human trafficking, or face stiff penalties.

There's a role here for customers, too. As long as Americans believe that a lunch out can and should cost less than $5, workers in the food-services industry will be exploited. What went on behind the kitchen doors of the Grand China Buffet will continue elsewhere. The economics of today's restaurant business, between labor and food costs, are difficult. And when diners find restaurants that are implausibly cheap, they might ask themselves — and their servers — why that might be.

The true cost of cheap egg rolls became grossly apparent at the Grand China Buffet. And Massachusetts — and the rest of America — needs to put down the fork and stop looking the other way.

EDITORIAL

Diners should pay attention to workers, not just the food

Americans have started to care deeply about how their food came to be. At restaurants, we ask probing questions: Are the greens organic? Were the cows grass-fed? We fret over whether our chicken could run around the farmyard. We take comfort in knowing that the pickles were prepared in-house, and that the cucumbers came from just an hour away. In short, we've come to demand high quality and sustainable sourcing in every part of a restaurant's operation.

Well, except in how the employees who work there are treated.

In a series of editorials over the past year, the Globe has detailed the challenges that food service workers routinely face: wages too low to live on, minimal job security, few organizing rights, the risk of wage theft, and even human trafficking.

These are all indecencies that, theoretically, should fall to lawmakers to address. But political will in Washington to raise the minimum wage has stalled, and labor enforcement, at both the federal and state levels, has been ineffectual.

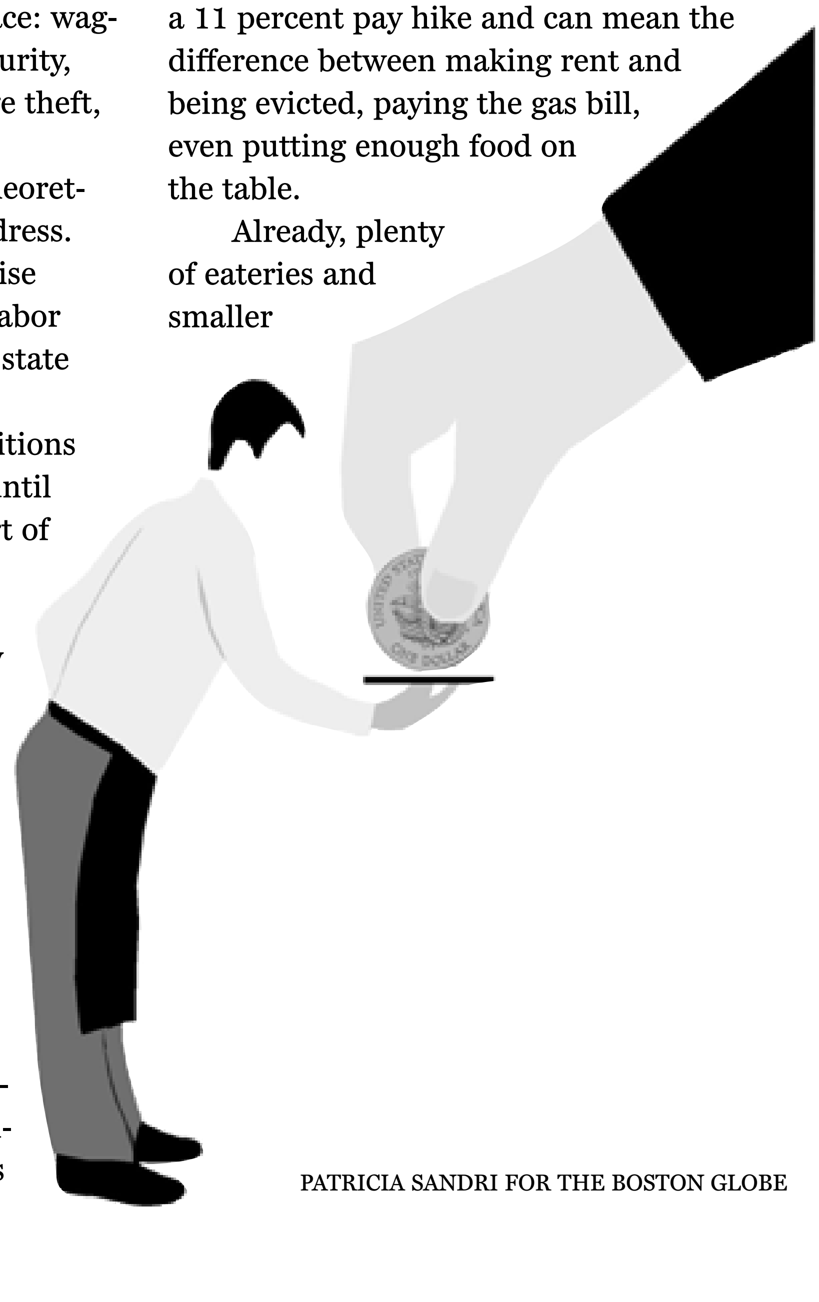
No, more humane working conditions in restaurants aren't likely to arrive until patrons start demanding them as part of their dining experience, too.

Contrary to the protests of industry bigwigs and some politicians, there is room in restaurant economics for higher pay and benefits — if customers are willing to pay a little bit more.

Ask top executives at Chipotle Mexican Grill. The burrito chain is red hot, achieving record margins and robust sales in recent years as Americans (and Europeans and Canadians) embrace its "Food with Integrity" motto. The company does offer its employees some luxuries rare in its industry — quick advancement, health insurance, regular full-time shifts, for instance — but its average wage for non-managers works out to be just slightly above $9 per hour (including bonuses).

Yet, in discussing proposals for a $10 minimum wage, Chipotle's chief financial officer, Jack Hartung, shrugged it off. "A move to $10 would have an effect, but not too significant," Hartung told analysts last January. In other words, an extra buck an hour isn't a major threat to Chipotle's bottom line, but the chain is also in no hurry to get there. For the Chipotle "crew member" trying to support a child, a raise to $10 represents a 11 percent pay hike and can mean the difference between making rent and being evicted, paying the gas bill, even putting enough food on the table.

Already, plenty of eateries and smaller



PATRICIA SANDRI FOR THE BOSTON GLOBE

chains in the Boston area — up and down the price spectrum — have committed to compensating hourly employees more than the bare minimum: Shake Shack, Boloco, the Salty Pig, and Coda in the South End, Canary Square in Jamaica Plain, Porters Bar and Grill near North Station, Haley House Bakery Cafe in Roxbury.

In addition to a minimum wage of $10, Boloco offers employees at its burrito joints other perks, including 401(k) matching, transportation subsidies, and English-language courses. Virtue isn't the only reward: "There are quantifiable savings in terms of lower turnover and training costs," said CEO Patrick Renna. "Happier employees mean better service and higher customer satisfaction."

But customers shouldn't wait for other restaurant owners to figure that out on their own. The dining public must show that it wants better treatment for workers. Here's how:

• Demand intelligence. Unlike health code violations, an eatery's bad labor practices aren't regularly catalogued in any city-run online databases. For now, the US Department of Labor's "Eat Shop Sleep" app is one of the best tools available, listing past citations for wage theft or other labor violations. It allows users to search by location or a restaurant's name, but the results are still limited.

• Patronize the good guys. There's not yet a Yelp rating or a widely used "fair trade" label to identify restaurants whose managers take pride in treating workers well. But a simple Google search can provide some help. Pay attention to online reviews that mention good labor practices. Tell owners that's why you are there. Tell your friends, too. (Boycotting bad apples is harder to do — see above — but an admirable goal nonetheless.)

• Tip in cash. Servers who make the tipped minimum wage ($3 in Massachusetts as of Jan. 1) often must rely on generous tippers to make up most of their take-home pay. And, as backwards as it sounds in an electronic age, wait staff report that leaving cash is the best guarantee your tip will end up in the right pocket.

• Push for higher wages and workers rights. The Fight for $15 campaign continues. Polls suggest most Americans support an increased minimum wage, so be vocal about it. Sign petitions, attend hearings, join protests, confront politicians about their stances, trumpet the issue on social media.

Being a more conscientious consumer will pay off in unexpected ways. Restaurants today lie at the heart of 21st-century American life. These employers aren't headed overseas; for the foreseeable future, millions of Americans will wait tables, cook food, or wash dishes for their livelihoods.

Meanwhile, an ever-more-frazzled public eats out instead of cooking at home. Neighborhood development and redevelopment plans increasingly hinge on attracting new restaurants. Having that local eatery on the corner, or a perhaps short drive away, has become an intrinsic part of what makes a community feel liveable.

That's all the more reason for customers to make sure their friends, neighbors, and family members who work in these vital businesses earn enough to live on. And when restaurateurs, from small chef-owners to fast-food giants, see customers paying closer attention to equity in their industry, they'll know what to do.